

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA

§

§

v.

§

DIAMOND DIXON (3)

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NO. 4:21-CR-00317-RWS-AGD

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

This report and recommendation addresses a petition for revocation of the defendant's supervised release. Dkt. 131 (sealed).

PROCEDURAL HISTORY

In February 2024, United States District Judge Robert W. Schroeder, III, sentenced defendant Diamond Dixon to 18 months imprisonment including time served followed by one year of supervised release. Dkt. 118 at 2–3. Dixon's term of supervised release commenced on February 28, 2024. Dkt. 131 at 1 (sealed).

In August 2024, a probation officer petitioned the court for a warrant, alleging that Dixon had violated four conditions of her supervised release. Dkt. 131 (sealed). The government later moved to withdraw allegations one and two. Minute Entry for Oct. 8, 2024. That left the petition with two active allegations: that Dixon had violated the conditions of supervision that required her to participate in a psychiatric/mental health program, including taking any prescribed mental-health medication, and that she participate in a program of testing and treatment for substance abuse. Dkt. 131 at 1–2 (sealed).

In support of those allegations, the petition asserted that Dixon failed to attend scheduled individual counseling sessions and failed to submit a urine specimen as required by the random-drug-testing program. Dkt. 131 at 2 (sealed).

A final revocation hearing was held before me on October 8, 2024. The government dismissed allegations one and two, and Dixon pleaded true to allegations three and four. Minute Entry for Oct. 8, 2024. She also consented to revocation of her supervised release and waived her right to object to my proposed findings and recommendations. Dkt. 142. The government requested a sentence of eight months imprisonment with no supervised release to follow, which is within the federal sentencing guidelines; the defendant agreed. After hearing argument from counsel and the defendant, the court announced what its recommendation would be.

RECOMMENDATION

In accordance with the Sentencing Reform Act of 1984, and having considered the arguments of counsel and the defendant, the court recommends that: (1) allegations one and two be dismissed; (2) Dixon's supervised release be revoked based on allegations three and four in the petition, Dkt. 131 (sealed); (3) Dixon be committed to the custody of the Bureau of Prisons to be imprisoned for a term of eight months, to run consecutive to any other term of imprisonment, with no further term of supervised release to follow; and (4) Dixon be placed at FPC Bryan in Bryan, Texas, if appropriate.

So ORDERED and SIGNED this 16th day of October, 2024.



Bill Davis
United States Magistrate Judge